

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850  
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

**WORKSESSION MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, September 6, 2017**

**ACTION ITEMS:**

1. Minutes of July 26, 2017, Worksession.

Action: Approved, (JHP/ESR, 4-0); (CJS: abstained).

2. **CBA-1165 (ZAS-64, ZAS-177, ZAS-170), Petition of Robert L. Snowden** (Skeet Shooting Range). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, stating that the special exception has been abandoned, and requesting that it be revoked. Also included is consent to the revocation submitted by the person with Power of Attorney for the special exception holder, who is deceased.

Action: Revoked this special exception as abandoned, (SBB/BG, 5-0).

3. **CBA-1337 (CBA-1337-A, CBA-1748, CBA-2573, S-11, S-185, S-386, S-386-A, S-778), Petition of the Bethesda Country Club** (Country Club). Letter to the Board from representatives of the Bethesda Crescent Home Owners Association requesting a public hearing on the administrative modification granted on August 9, 2017.

Action: Suspended the resolution dated August 9, 2017, and voted to schedule a public hearing, (JHP/ESR, 5-0).

4. **CBA-1383-A, Petition of Tilden Woods Recreation Association Inc.** (Community Swimming Pool). Letter to the Board from B.J. Sadoff requesting reconsideration or rehearing of the Board's July 27, , 2017, resolution opening the record and, in addition, asking that his letter, and an earlier letter that he attaches to his letter, be treated as a complaint and entered into the record. Also included is a response letter from Michael Osterman, President, TWRA, and a Memorandum from Victor Salazar, DPS, stating that DPS has investigated Mr. Sadoff's complaint and has determined that there is no violation.

Action: Re-opened the record to receive the above three communications and dismissed the complaint, (JHP/BG, 5-0).

5. **S-274-C, Petition of Suburban Hospital** (Hospital). Letter to the Board from Leslie Ford Weber, Director, Campus, Government & Community Affairs, submitting noise testing results to the Board, in accordance with Condition 11 of the Board's December 13, 2007, Resolution.

Action: Deferred (consensus).

6. **S-285-E, Petition of The Norwood School, Inc.** (Private Educational Institution). Letter to the Board from Laura K. Hodgson, M-NCPPC, submitting the required traffic counts for the Norwood School, and finding them in compliance with the limits set by Condition 10 of the Board's April 25, 2013, Resolution.

Action: Re-opened the record to receive Ms. Hodgson's letter with attachments, (ESR/BG, 5-0).

7. **S-728 [S-728-A], Petition of Dr. Tuan Minh Nhu** (Non-resident Medical Practitioner's Office). Note to the Board attaching a bill of sale, as required by the Board's June 29, 2017, Resolution transferring the special exception to Dr. Nhu.

Action: Re-opened the record to receive Dr. Nhu's attachment, (BG/JHP, 5-0).

8. **S-762, Petition of EAT Sunrise Chevy Chase, LLC** (Housing for the Elderly). Letter to the Board from Stacy P. Silber, Esquire, and Elizabeth C. Rogers, Esquire, requesting an administrative modification of this special exception. [Large Exhibits: special exception modification plan, planting and landscape details].

Action: Granted administrative modification, (JHP/SBB, 5-0).

9. **S-1063, Petition of EAT Sunrise Bethesda** (Housing for the Elderly). Letter to the Board from Stacy P. Silber, Esquire, and Elizabeth C. Rogers, Esquire, requesting an administrative modification of this special exception. [Large Exhibits: special exception site plan, landscape and lighting details].

Action: Granted administrative modification, (JHP/ESR, 5-0).

10. **S-1039, Petition of Rosario Geurson, M.D. and Hector Ascuncion, M.D.** (Medical Office). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Also included is confirmation of the abandonment from the special exception holder, who is also the property owner.

Action: Revoked this special exception as abandoned, (ESR/BG, 5-0).

11. **S-1246, Petition of Benson Animal Hospital, Inc.** (Veterinary Hospital). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that the special exception be revoked because the special exception is no longer needed; due to rezoning, the use is now allowed as a limited use. Also included is consent to the revocation from the special exception holder.

Action: Revoked this special exception as the use is permitted in the zone, (JHP/BG, 5-0).

12. **S-1481, Petition of Vijai K. Tuli** (Medical Clinic). Letter to the Board from Rena L. Strauss, Esquire, on behalf of the Maple Springs Medical Condominium, requesting that the special exception be transferred to the Condominium Association. Also included is a letter to the Board from the Petitioner, indicating that he does not wish to transfer the special exception.

Action: Granted the transfer of the special exception, (JHP/ESR, 5-0).

13. **S-1494, Petition of Mark Lipsitt** (Animal Boarding Place). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, stating that an inspection of the special exception property reveals that the use has been abandoned. Ms. Cox includes confirmation of the abandonment from the property owners, but did not receive confirmation from the special exception holder.

Action: Voted to schedule a Show Cause hearing, (JHP/SBB, 5-0).

14. **S-2407, Petition of Nextel Communications of Mid-Atlantic, Inc.** (Telecommunications Facility). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Also included is confirmation of abandonment from the successor entity to the special exception holder.

Action: Revoked this special exception as abandoned, (JHP/ESR, 5-0).

15. **S-2410, Petition of Stuart A. and Arlene Farber Sirkin** (Accessory Apartment). Letter to the Board from Matthew L. Sokol and Rebecca P. Kohn requesting that this special exception be transferred to their names.

Action: Granted the transfer of this special exception, (JHP/BG, 5-0).

16. **S-2480, Petition of Connie Lucas** (Group Home). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this special exception be revoked for failure to implement.

Action: Revoked this special exception for failure to implement, (ESR/SBB, 5-0).

17. **S-2659, S-2660 Petition of Jeffrey B. Walcoff, D.V.M. and Sheila Dearybury Walcoff** (Veterinary Hospital and Animal Boarding Place). Letter to the Board from Mrs. Cecile Foreman, Trustee Chairperson, and Rev. Dr. Samuel Holdbrook-Smith, Pastor-Teacher, requesting a public hearing on the administrative modification granted July 20, 2017.

Action: Voted to schedule a public hearing, (SBB/BG, 5-0).

18. **S-2867, Petition of Daniel Sheehan** (Accessory Apartment). Memorandum to the Board from Jennyffer Vargas, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Also included is confirmation of the abandonment from the new owners realtor.

Action: Revoked this special exception as abandoned, (JHP/ESR, 5-0).

19. **ZAS-622, Petition of Stephen and Maralyn Paley** (Private Riding Stable). Letter to the Board from Joan A. Winosky and Richard Brunasky requesting that this special exception be transferred to their names.

Action: Granted the transfer of the special exception, (JHP/BG, 5-0).

**PENDING ITEM:**

20. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated. Item deferred (consensus). [W/S: 4/27/16].

**Board Members**

Carolyn J. Shawaker, Chair  
John H. Pentecost, Vice Chair  
Stanley B. Boyd  
Edwin S. Rosado  
Bruce Goldensohn

**Staff**

Barbara Jay, Executive Director  
Kathryn Lloyd, Associate County Attorney